

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**IN RE: COMMUNITY HEALTH  
SYSTEMS, INC.,  
CUSTOMER SECURITY DATA  
BREACH LITIGATION  
(MDL 2595)**

**MASTER FILE NO.  
15-CV-222-KOB**

This document relates to all cases.

**OPPOSED**

**ORAL ARGUMENT  
REQUESTED**

**PLAINTIFFS' AMENDED RENEWED MOTION FOR CERTIFICATION**  
**FOR INTERLOCUTORY APPEAL**

Plaintiffs hereby bring an Amended Renewed Motion for Certification of Interlocutory Appeal pursuant to 28 U.S.C. § 1292(b), pursuant to the Court's Order of February 15, 2017 (ECF No. 167). Plaintiffs request that the Court grant its Motion and certify the following questions to the Court of Appeals:

- 1) Whether plaintiffs who have alleged that their confidential patient data was stolen by data thieves, but not yet misused, have Article III standing to sue for the mishandling of the data by a third party with whom plaintiffs have a healthcare relationship in which they paid money for services, when plaintiffs allege that a portion of the money paid for services was paid for data security that was not provided (i.e.,

standing based on overpayment); and

- 2) Whether plaintiffs who have alleged they are at a substantially increased risk of harm after a data breach in which their confidential patient data was stolen by data thieves, but has not yet been misused, have sufficiently pleaded Article III standing to sue for the mishandling of the data by a third party with whom plaintiffs have a healthcare relationship in which they paid money for services, when plaintiffs also allege that other individuals' confidential patient data obtained by the data thieves through the same security breach has already been misused (i.e., standing based on increased risk of harm).

The grounds for this Motion are supported in the Brief accompanying this motion; namely, that this question concerns a controlling issue of law; there are substantial grounds for a difference of opinion on the issue; and certification of this issue may materially advance the ultimate termination of the litigation.

March 15, 2017

Respectfully Submitted,

/s/ Karen H. Riebel

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